

EXHIBIT 1

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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 **IN RE 23ANDME, INC., CUSTOMER**
12 **DATA SECURITY BREACH LITIG.**

Case No. 24-cv-00487-EMC

13 This Document Relates to:

14 *ALL ACTIONS*

**DECLARATION OF J. ELI WADE-SCOTT
IN SUPPORT OF MOTION TO ENLARGE
BRIEFING SCHEDULE REGARDING
OBJECTIONS TO PRELIMINARY
APPROVAL**

1 Pursuant to 18 U.S.C. § 1746, I, J. Eli Wade-Scott, declare as follows:

2 1. I am a partner at Edelson PC and I represent Plaintiffs David Melvin and J.L. (the
3 “Melvin Plaintiffs”) in the above-captioned action. I am over the age of eighteen and am fully
4 competent to make this Declaration. This Declaration is based upon my personal knowledge.

5 2. The Melvin Plaintiffs have identified a host of issues with the proposed class
6 action settlement filed on September 12, 2024. These include significant structural problems that
7 threaten to harm the Settlement Class by causing them to incur potentially unnecessary and/or
8 duplicative notice costs if the settlement is preliminarily approved and notice sent out. The
9 Melvin Plaintiffs submit that these issues warrant additional time to address beyond the default
10 briefing schedule set out in Civil L.R. 7-3(a). This will allow the Court to have comprehensive
11 briefing on these threshold items in advance of the preliminary approval hearing scheduled for
12 October 29, 2024.

13 3. Absent the requested extension, these issues will not be before the Court in a
14 meaningful way until (assuming the settlement is preliminarily approved and notice goes out) the
15 objection deadline in advance of final approval. By that time, hundreds of thousands of dollars of
16 the Settlement Class’s money, from a Defendant with solvency issues, would have been spent on
17 a notice program that may need to be redone entirely.

18 4. Owing to the pressing need to finalize this motion and file as soon as possible
19 before the currently scheduled opposition deadline, the Melvin Plaintiffs have not sought to
20 modify the briefing schedule pursuant to stipulation (which would have still required a Court
21 order pursuant to Civil L.R. 6-1(b)).

22 5. This is the Melvin Plaintiffs’ first request to extend a deadline in connection with
23 this matter.

24 6. This requested extension will not affect the timing of any other deadlines set in
25 this case. The proposed extended briefing schedule will still ensure that briefing is completed in
26 advance of the preliminary approval hearing scheduled for October 29, 2024.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed on this 25th day of September, 2024, in Chicago, Illinois.

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5 /s/ J. Eli Wade-Scott
6 J. Eli Wade-Scott
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